

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY AND NISHNABOTNA VALLEY RURAL ELECTRIC COOPERATIVE	DOCKET NO. SPU-03-13
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued November 17, 2003)

On September 9, 2003, MidAmerican Energy Company (MidAmerican) and Nishnabotna Valley Rural Electric Cooperative (Nishnabotna) filed a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). A service area agreement between MidAmerican and Nishnabotna is attached to the petition. No objections to the petition were filed.

MidAmerican and Nishnabotna request the Board modify the service territory boundary between the two utilities in Shelby County, Iowa. The following service territory is to be transferred from MidAmerican to Nishnabotna:

The West $\frac{3}{4}$ of the North $\frac{1}{4}$ of Section 7, Township 80 North,
Range 39 West, Westphalia Township, Shelby County,
Iowa.

The following service territory is to be transferred from Nishnabotna to
MidAmerican:

The South 4224 feet (0.8 mile) of the West 660 feet of
Section 33, Township 78 North, Range 39 West, Fairview
Township, Shelby County, Iowa.

In support of the petition, MidAmerican and Nishnabotna state the transfer eliminates any future duplication of facilities while promoting the most efficient use of the facilities of both utilities. Because no customers are currently being served in the areas to be transferred, no disruption of service will occur.

Iowa Code § 476.25 (2003) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the MidAmerican and Nishnabotna joint petition for modification of service area boundaries. MidAmerican and Nishnabotna have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by MidAmerican Energy Company and Nishnabotna Valley Rural Electric Cooperative on September 9, 2003, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17th day of November, 2003.